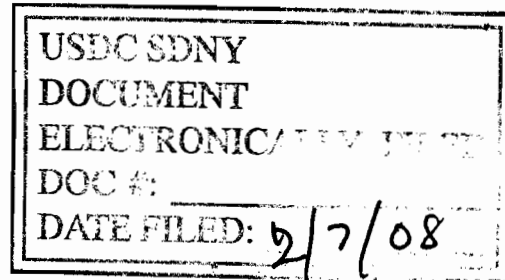


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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

----- X  
 XETHANOL CORPORATION,

Plaintiff,

-against-

DEUTSCHE BANK SECURITIES INC.,

Defendant.  
 ----- X

**STIPULATION AND ORDER**

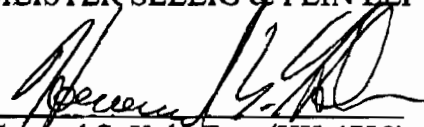
07 Civ. 11161 (AKH)

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys for the parties, that: (1) the return date of defendant Deutsche Bank Securities Inc.'s Motion to Dismiss Plaintiff's Complaint is extended from February 15, 2008 to and including March 7, 2008; (2) Plaintiff shall serve its opposition to the Motion to Dismiss on or before February 22, 2008; and (3) Defendant Deutsche Bank Securities Inc. shall reply to Plaintiff's opposition on or before March 7, 2008. This is the parties' first request for an extension of time with respect to this motion.

Dated: New York, New York  
February 5, 2008

MEISTER SEELIG & FEIN LLP

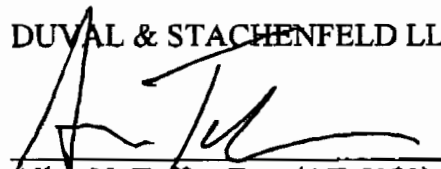
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Attorneys for Defendant  
Deutsche Bank Securities Inc.

SO ORDERED  
this 9 day of February, 2008

  
Honorable Alvin K. Hellerstein,  
UNITED STATES DISTRICT JUDGE